



11-17-04

DEP & REF  
Room #307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/974,729 Confirmation No.: 7821  
Applicant : Goodman et al.  
Filed : October 9, 2001  
TC/A.U. : 1616  
Examiner : Michael G. Hartley  
For : 4-HALOETHENYLPHENYL TROPANE:SEROTONIN  
TRANSPORTER IMAGING AGENTS  
Docket No. : 70-01  
Customer No. : 23713

REQUEST FOR REFUND AND  
NOTIFICATION OF ENTITY STATUS CHANGE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Notification of Entity Status Change was filed in the above-referenced application on September 9, 2004 and \$665.00 was paid at that time to cover the deficiency in changing to large entity status. The undersigned has now learned that large entity status was requested in error. Accordingly, an executed Verified Statement Claiming Small Entity Status (37 C.F.R. §1.19(f) and 1.27(d) - Nonprofit Organization is filed herewith and applicants request a refund of the \$665.00 paid in September, 2004.

Please credit the amount of \$665.00 to deposit account no. 07-1969.

Respectfully submitted,

Heeja Yoo-Warren  
Reg. No. 45,495

GREENLEE, WINNER AND SULLIVAN, P.C.  
4875 Pearl Eastd Circle, Suite 200  
Boulder, CO 80301  
Telephone (303) 499-8080  
Facsimile: (303) 499-8089  
Email: winner@greenwin.com

Attorney Docket No.: 70-01  
bmk: November 16, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

16 November 2004 B. Kroge  
Date B. Kroge  
Express Mail Receipt No. EV 584 577 995 US

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Applicant or Patentee: Mark M. G. and Laurent Martarello

Serial or Patent No.:

For: 4-HALOETHENYLPHENYL TROPANE: SEROTONIN TRANSPORTER IMAGING AGENT

Attorney's #: 70-01

Filed: October 9, 2001



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: EMORY UNIVERSITY  
ADDRESS OF ORGANIZATION: 2009 Ridgewood Drive  
Atlanta, GA 30322

**TYPE OF ORGANIZATION**

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION LOCATED IN ANY COUNTRY
- ☐ AN ORGANIZATION OF THE TYPE DESCRIBED IN SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE OF 1954 (26 U.S.C. 501(c)(3)) AND EXEMPT FROM TAXATION UNDER SECTION 501(a) OF THE INTERNAL REVENUE CODE (26 U.S.C. 501(a))
- ☐ ANY NONPROFIT SCIENTIFIC OR EDUCATIONAL ORGANIZATION QUALIFIED UNDER A NONPROFIT ORGANIZATION STATUTE OF A STATE OF THIS COUNTRY (35 U.S.C. 201(i))
- ☐ ANY NONPROFIT ORGANIZATION LOCATED IN A FOREIGN COUNTRY WHICH WOULD QUALIFY AS A NONPROFIT ORGANIZATION UNDER THE ABOVE PARAGRAPHS (2) OR (3) IF IT WERE LOCATED IN THIS COUNTRY

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees under §41(a) and (b) of Title 35, United States Code, with regard to the invention entitled "Coding Sequence for Protein Phosphatase Methyltransferase, Recombinant DNA Molecules and Methods" by inventor(s) David C. Pallas and Xian X. Du

described in ☐ the specification filed herewith  
☒ application serial no. 091974,729 filed October 9, 2001  
☐ patent no. \_\_\_\_\_ issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
\_\_\_\_\_

- ☐ INDIVIDUAL
- ☐ SMALL BUSINESS CONCERN
- ☒ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true: and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:  
TITLE IN ORGANIZATION:  
ADDRESS OF PERSON SIGNING:

Office of Technology Transfer  
2009 Ridgewood Drive  
Atlanta, GA 30322

SIGNATURE Kevin Lei

DATE October 30, 2001

By: **Kevin Lei**  
Title: **Assistant Director**  
and **Senior Licensing Associate**  
Office of Technology Transfer  
GREENLEE, WINNER and SULLIVAN, P.C.  
5370 Manhattan Circle, Suite 201  
Boulder, Colorado 80303

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4875 PEARL EAST CIRCLE  
SUITE 200  
BOULDER, CO 80301

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OFFICE OF PETITIONS

NOTICE

ORIGINAL COPY

In re Application of  
Mark M. Goodman, et al.  
Application No. 09/974,729  
Filed: October 9, 2001  
Attorney Docket No. 70-01

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

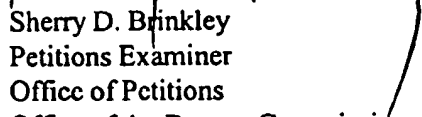
The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (571) 272-3201.

This file is being forwarded to Publishing Division for further processing.

  
Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc: GREENLEE, WINNER AND SULLIVAN, P.C.  
5370 Manhattan Circle, Suite 201  
Boulder, CO 80303

1980

Total Records Found: 9

End Date: Any Date

Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
01/28/2002	00000302	1	201	\$370.00	01/24/2002	CK
01/28/2002	00000303	1	203	\$108.00	01/24/2002	CK
01/28/2002	00000304	1	205	\$65.00	01/24/2002	CK
03/21/2002	00000228	1	581	\$40.00	03/12/2002	CK
04/25/2003	00000074	1	2202	\$90.00	04/22/2003	CK
05/27/2004	00000124	1	2501	\$665.00	05/25/2004	CK
05/27/2004	00000125	1	1504	\$300.00	05/25/2004	CK
05/27/2004	00000126	1	8001	\$30.00	05/25/2004	CK
09/17/2004	00000063	1	1461	\$665.00	09/09/2004	CK

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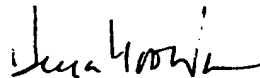
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